

Agenda Item 2

Annual National Reports 2009

Document 2-01

Annual National Report Belgium

Action Requested

- Briefly present highlights from reports (max. 5 minutes)
- Take note of the information submitted
- Comment

Submitted by

Belgium



NOTE:
IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR
OWN COPIES OF DOCUMENTS TO THE MEETING

**Revised Format for the
ASCOBANS Annual National Reports**

General Information

Name of Party: BELGIUM	Period covered: 1 Jan - 31 Dec 2009
	Date of report: 16 Mar 2010

Report submitted by:	
Name: Jan Haelters	Function: Scientific assistant
Organization: Royal Belgian Institute of Natural Sciences (RBINS), Department MUMM	Address: 3e en 23ste Linieregimentsplein B-8400 Ostend, Belgium
Telephone / Fax: tel: +32(0)59.70.01.31 fax: +32(0)59.70.49.35	Email: j.haelters@mumm.ac.be
Any changes in coordinating authority or appointed member of advisory committee None	

List of national authorities, organizations, research centres and rescue centres active in the field of study and conservation of cetaceans, including contact details

FOD Public Health, Food Safety and Environment, DG Environment, Marine Environment
Victor Hortaplein 40 bus 10
B-1060 Brussels, Belgium
Contact: paulus.tak@health.fgov.be

Royal Belgian Institute of Natural Sciences (RBINS)
Vautierstraat 29
1000 Brussels, Belgium

RBINS, Department Management Unit of the North Sea Mathematical Models (MUMM)
Gulledelle 100
B-1200 Brussels, Belgium
Contact: J.Haelters@mumm.ac.be

University of Liège
Dept. of Veterinary Pathology
Sart Tilman 43
B-4000 Liège, Belgium

Contact: Thierry Jauniaux, T.Jauniaux@ulg.ac.be

Research Institute for Nature and Forest
Kliniekstraat 25
B-1070 Brussels, Belgium
Contact: Eric.Stienen@inbo.be

NEW Measures / Action Towards Meeting the Objectives of the Conservation and Management Plan and the Resolutions of the Meeting of Parties

Please feel free to add more rows to tables if the space provided is not sufficient.

A. HABITAT CONSERVATION AND MANAGEMENT

1 Direct Interaction with Fisheries

Investigations of methods to reduce bycatch

A project 'WAKO II' started in 2009 and will continue in 2010. The project aims at an integrated assessment of direct ecosystem effects of trammel net and beam trawl fisheries for the Belgian part of the North Sea (BPNS). A total of 4 workpackages are therefore drawn up, namely (1) quantification of the major direct, short-term effects of trammel net and beam trawl fisheries at the BPNS, (2) the development and application of a methodology for a sensitivity assessment of key species of each of the ecosystem components (endo-, epifauna, fish, sea birds and marine mammals), (3) the production of spatio-temporal distribution maps of these key species and (4) the integration of sensitivity maps of the key species and fishing effort.

The study includes the participation of independent observers on board static gear fishing vessels, and a voluntary logbook-keeping by static gear fishermen. The project is funded by the Belgian Science Policy (<http://www.belspo.be/ssd>).

Contact person: Jochen Depestele: Jochen.Depestele@ilvo.vlaanderen.be; website: www.ilvo.vlaanderen.be/wako.

Implementation of methods to reduce bycatch

None

Please provide any other relevant information, including bycatch information from opportunistic sources.

In the framework of the WAKO II project (see above), a small number of bycatch cases of porpoises was reported by fishermen.

In addition, please attach or provide link to your country's Report under EC Regulation 812/2004.

2 Reduction of Disturbance

2.1 Anthropogenic Noise

Please reference and briefly summarise any studies undertaken

In the framework of the construction and operation of offshore windfarms in Belgian waters, impact studies were performed, amongst others to try to assess the impact on marine mammals. Preliminary studies, describing predominantly the methodology on noise monitoring and marine mammal monitoring, including setting the baseline, were published in:

Degraer, S. & Brabant, R., 2009. Offshore windfarms in the Belgian part of the North Sea: State of the art after two years of environmental monitoring. Royal Belgian Institute of Natural Sciences, Department MUMM, 287p., 8 annexes.

Chapter 3: Haelters, J., Norro, A. & Jacques, T.G., 2009. Underwater noise emission during the Phase I construction of the C-Power windfarm and baseline for the Belwind wind farm.

Chapter 10: p. 237-266: Haelters, J., 2009. Monitoring of marine mammals in the framework of the construction and exploitation of offshore windfarms in Belgian marine waters.

In June 2009 the Minister responsible for energy has granted a fourth domain permit for the installation of windmills in Belgian waters. The group RENTEL had introduced a request for a domain permit for a park of 288 megawatt.

In October 2009 the Minister responsible for energy has granted a fifth domain permit for the installation of windmills in Belgian waters. The group NORTHER had introduced a request for a domain permit for a park of 300 to 450 megawatt. The environmental permit procedure, subject to the decision of the Minister responsible for the North Sea, will start in 2010.

In February 2010 the Minister responsible for energy has changed the domain permit for the installation of windmills in Belgian waters for the group C-Power. Their new permit foresees a park of 216-318 megawatt and piling of monopiles instead of gravity based foundations.

2.2 Ship Strike Incidents

Please list all known incidents and for each, provide the following information:

Date	Species	Type of injury	Fatal injury (Yes / No)	Type of vessel (length, tonnage and speed)	Location (coordinates)	More information: (Name / Email)
<22 Sep 2009	<i>Balaenoptera physalus</i>	Bone fractures, damage to internal organs, external lesions	Yes	Refrigerated cargo ship <i>Summer Flower</i> , 169m, 12659 GT, cruising speed 22.5 kts	Unknown	Jan Haelters

The common fin whale, an adult female of 19.9m, entered the port of Antwerp on the bulb of the cargo vessel *Summer Flower*, on a journey from Colombia to Antwerp . The state of preservation of the carcass indicated that the animal had died 2-3 days before, so presumably

off the coast of Portugal or Spain. The animal had been in a good physical condition before death. Its weight was estimated at 40 t. The incident was reported in detail to the IWC.

2.3 Major Incidents Affecting Significant Numbers* of Cetaceans

Date	Location	Type of incident	Further Information
			none

*Two or more animals

2.4 Pollution and Hazardous Substances

Please report on main types of pollution and hazardous substances (including source, location and observed effects on cetaceans). Please provide information on any new measures taken to reduce pollution likely to have an impact.

-

2.5 Other Forms of Disturbance

Please provide any other relevant information, e.g. relating to recreational activities affecting cetaceans.

A case against Belgium by the European Commission (case 2003/2081) for not complying with article 12, 1a, of Directive 92/43 (bycatch of porpoises in recreational activities), was “closed (...) following the adoption of new Flemish legislation strengthening the protection of species such as porpoise” (25 June 2009). In this new Decree, that came into force on 1 September 2009, no concrete measures or basis for measures regarding recreational beach fisheries are foreseen, and no specific protection measures for porpoises are taken up. Also no new measures for this kind of recreation were taken by the authorities competent for marine fisheries.

3 Marine Protected Areas for Small Cetaceans

Please provide any relevant information on measures taken to identify, implement and manage protected areas for cetaceans, including MPAs designated under the Habitats Directive and MPAs planned or established within the framework of OSPAR or HELCOM.

A study was done concerning potential marine protected areas (MPAs) in the implementation of the Habitats Directive in Belgian waters. It concluded that, while seasonally relevant numbers/densities of harbour porpoises occur in Belgian waters, it was not opportune to establish MPAs specifically for porpoises, given their high mobility and the fact that it was not possible to indicate specifically important areas on the basis of the data available. The results of the study were subject to public consultation from 25 January until 28 February 2010.

Degraer, S., U. Braeckman, J. Haelters, K. Hostens, T. Jacques, F. Kerckhof, B. Merckx, M. Rabaut, E. Stienen, G. Van Hoey, V. Van Lancker & M. Vincx (2009). Studie betreffende het opstellen van een lijst met potentiële Habitatrictlijn gebieden in het Belgische deel van de Noordzee.

Eindrapport in opdracht van de Federale Overheidsdienst Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu, Directoraat-generaal Leefmilieu. Brussel, België. 93 pp. (in Dutch).

Please indicate where GIS data of the boundaries (and zoning, if applicable) can be obtained (contact email / website).

B. SURVEYS AND RESEARCH

4.1 Overview of Research on Abundance, Distribution and Population Structure

Please provide a brief summary of (and reference to) any national work.

See 2.1.

An overview was made of strandings and sightings of porpoises in Belgium and the Netherlands, together with data on population structure of stranded animals, threats such as bycatch, and proposals for measures. The report was commissioned by the International Fund for Animal Welfare (IFAW) and can be consulted online. Reference:

Haelters, J. & Camphuysen, K., 2009. The harbour porpoise in the southern North Sea: abundance, threats and research- & management proposals. Royal Belgian Institute of Natural Sciences (RBINS/MUMM) and the Royal Netherlands Institute for Sea Research (NIOZ); report commissioned by the International Fund for Animal Welfare (IFAW); 56 p.

And a summary in:

Bycatch Communication Network Newsletter Issue 13 Aug-Sept 2009.

4.2 New Technological Developments

Please provide a brief summary of any relevant information

-

4.3 Other Relevant Research

Please provide a brief summary of any relevant information

-

C. USE OF BY-CATCHES AND STRANDINGS

5 Post-Mortem Research Schemes

Contact details of research institutions / focal point	Jan Haelters, Royal Belgian Institute of Natural Sciences (RBINS), Department MUMM Thierry Jauniaux, University of Liège (ULg)
Methodology used (reference, e.g. publication, protocol)	Standardised methodology, a.o. described in: Jauniaux, T., Garcia Hartmann, M., Haelters, J., Tavernier J. & Coignoul, F., 2002. Echouage de mammifères marins: guide d'intervention et procédures d'autopsie. Annales de médecine vétérinaire 146: 261-276 Kuiken & Hartmann, G., 1991. Proceedings of the first ECS workshop on cetacean pathology: dissection techniques and tissue sampling. ECS newsletter 17.
Collection of samples (type, preservation method)	Depending on the state of decomposition, all relevant samples for toxicology, histopathology, parasitology, virology, bacteriology, genetics, diet and age are collected. In some cases cranium or entire skeletons are collected. Preservation: different according to the sample: formaldehyde, alcohol, freezing at -18°C or -80°C, tissue slide, ...
Database (Number of data sets by species, years covered, software used, online access)	+20.000 samples, including some samples from animals stranded or bycaught in The Netherlands and France; samples originating from +900 animals of different species, including pinnipeds
Additional Information (e.g. website addresses, intellectual property rights, possibility of a central database)	A web application is being developed which will contain data on strandings and sightings of marine mammals in Belgium (now available on www.mumm.ac.be), and allow for the provision of selected samples for dedicated scientific research: see: Jauniaux, T., De Cauwer, K., De Winter, J., Haelters, J., Jacques, T.G., Scory, S. & Coignoul, F., 2009. The Belgian Marine Mammal Biobank: a tool to stimulate tissue exchange. Report submitted to the meeting of the Advisory Committee of ASCOBANS, Bruges, 20-24 April 2009. Doc. AC16/44.

5.1 Number of Necropsies Carried out in Reporting Period:

Species	Recorded cause of death
<i>Balaenoptera physalus</i> (1)	Ship strike
<i>Phocoena phocoena</i> (66)	Preliminary data: Total number of porpoises, including stranded animals, dead animals found at sea, animals delivered by fishermen: 66 Provisionally: Number of bycaught animals: 15 Number of animals died naturally: 9 Number of animals with unknown cause of death: 42
<i>Stenella coeruleoalba</i> (1)	Natural*
<i>Lagenorhynchus albirostris</i> (1)	Unknown

* This solitary striped dolphin, very rare in Belgian waters, was present in a dock in the harbour of Antwerp for two weeks, before being found dead, totally weakened. See:

Haelters, J. & Verbelen, D., 2009. Gestreepte dolfijn in Antwerpse haven. *Zoogdier* 20(4): 30-31.

Verbelen D. & Haelters J., 2010. Fonske duikt op in Antwerpse Haven. In: Herremans M., Berwaerts K., Driessens G., Guelinckx R., Hens M., Jacobs M., Jooris R., Lewylle I., Leysen K., Nijs G., Steeman R., Van de Meutter F., Van Dorsselaer P., Veraghtert W., Verbelen D., Verbeylen G., Verdonckt F. & Vermeersch G., 2010. Jaarverslag 2008 - 2009. Markante resultaten van Natuurpunt Studie. Rapport Natuur.studie 2010/1, Natuurpunt Studie, Mechelen : 51–52.

Please provide any other relevant information on post-mortem / stranding schemes.

D. LEGISLATION

6.1 Relevant New Legislation, Regulations and Guidelines

Please provide any relevant information.

New Flemish legislation on the protection of species (15 May 2009): *Besluit van de Vlaamse Regering met betrekking tot soortenbescherming en soortenbeheer*. Belgian Official Journal of 13 August 2009. This legislation came into force on 1 September 2009. No concrete measures are taken, but the legal protection of porpoises.

E. INFORMATION AND EDUCATION

7.1 Public Awareness and Education

Please report on any public awareness and education activities to implement or promote the Agreement to the general public and to fishermen.

A necropsy workshop was organized (*3rd Cetacean Necropsy Workshop: special issue on cetaceans inner ear, including beaked whales*, Jauniaux T., André M., Dabin W., Morell M., Coignoul F.) on June 17-18 at the University of Liege (Department of Veterinary Pathology). There were 18 participants from countries in Europe and Africa, and 26 marine mammals were necropsied, mostly porpoises. The main issue was the dissection of the inner ear and a demonstration of the skull morphology of cetaceans, including beaked whales.

On 14 October 2009 a temporary exhibit on whales and dolphins was opened to the public at the Museum for Natural Sciences (RBINS), Brussels. In this temporary exhibit attention is paid to relevant threats and nature conservation aspects, including on international agreements and conventions such as Ascobans and IWC. The exhibit will close on 29 August 2010. More information on www.naturalsciences.be.

For a few days at the start of the holiday season on 1 July 2009, the Belgian art group Captain Boomer reconstructed the magic of a sperm whale stranding on the beach of Ostend. The realistic 18m sperm whale had been constructed out of wood, aluminium and polyester by artist Zephyr (Dirk Claessen). The public was informed about the steps that were taken for scientific research after such a stranding, and about threats and conservation of cetaceans.

Revised Format for the ASCOBANS Annual National Reports

Two initiatives towards the public to record, report and distribute marine mammal sightings continue:

www.waarnemingen.be: an initiative of *Natuurpunt Studie vzw* and *Stichting Natuurinformatie*

www.zeezoogdieren.org: an initiative originating from *Natuurpunt Antwerpen-Noord vzw*

Besides that, MUMM reports strandings and selected sighting records online on www.mumm.ac.be.

POSSIBLE DIFFICULTIES ENCOUNTERED IN IMPLEMENTING THE AGREEMENT

Please provide any relevant information.

Please return this form, preferably by e-mail, to:

UNEP/CMS/ASCOBANS Secretariat
UN Campus
Hermann-Ehlers-Str. 10
53113 Bonn
Germany

Tel: +49 228 815 2416
Fax: +49 228 815 2440
Email: ascobans@ascobans.org

Annex: national report submitted by Belgium in implementation of Regulation 812/2004 (only in Dutch, report for 2008)

BELGIE

Algemeen jaarverslag voor het jaar 2008, in uitvoering van Verordening (EG) nr. 812/2004 van de Raad van 26.04.2004 tot vaststelling van maatregelen betreffende de bijvangsten van walvisachtigen bij de visserij en tot wijziging van Verordening (EG) nr. 88/98

1. Algemeen

Verordening (EG) nr. 812/2004 van de Raad van 26.04.2004 tot vaststelling van maatregelen betreffende de bijvangsten van walvisachtigen bij de visserij en tot wijziging van Verordening (EG) nr. 88/98 voorziet in artikel 6 dat de lidstaten elk jaar, uiterlijk op 1 juni, een algemeen jaarverslag overmaken over de uitvoering van de artikelen 2, 3, 4 en 5 van voornoemde verordening.

Voorliggend verslag vult die verplichting in voor de periode 1 januari 2008 tot 31 december 2008.

2. Belgische situatie

2.1. Regelgevend kader

De Verordening (EG) nr. 812/2004 is onmiddellijk toepasbaar in België. Om de effectieve uitvoering afdwingbaar te stellen volstaat het bestaand wettelijke kader.

Het koninklijk besluit van 21.12.2001 betreffende de soortenbescherming in de zeegebieden onder de rechtsbevoegdheid van België, regelt het inzetten van waarnemers en het verplicht rapporteren van bijvangsten van walvisachtigen.

Verder kan gemeld worden dat er in 2007 bijkomende tijdelijke nationale maatregelen werden getroffen teneinde de bijvangst van walvisachtigen, met name bruinvissen, te minimaliseren bij strandvisserij. Zo werd het gebruik van warrelnetten bij de strandvisserij beperkt en werd het gebruik van meerlagige warrelnetten volledig verboden op het strand. Deze maatregelen waren eveneens in 2008 van toepassing.

2.2. Vloot

Op 31 december 2008 bestond de vloot uit 100 eenheden. Hiervan waren 4 eenheden warrelnetvaartuigen en 2 eenheden demersale hektrawlers.

Per ICES-gebied was de visserij-inspanning als volgt:

	IVb	IVc	VIIa	VIIId	VIIe	VIIIf	VIIg	VIIh
Warrelnetvaartuigen		323	57	2	4		zeedagen	
Demersale hektrawlers	484	578	112	56	43	103	477	zeedagen

De warrelnetvaartuigen zijn voornamelijk in de zuidelijke Noordzee actief, slechts één vaartuig had visserij-inspanning in het oostelijk gedeelte van het Kanaal.

De visserij-inspanning van de demersale trawlers is meer verspreid, de zuidelijke Noordzee en het Bristolkanaal zijn de belangrijkste visgronden. Ten opzichte van het verslag 2007 is er een verhoging te noteren van de visserijinspanning. Dit is te wijten aan het feit dat een aantal boomkorvaartuigen eveneens met de planken kunnen uitgerust worden, zoals dat het geval is voor outrigger- en twinriggervaartuigen.

3. Toepassing van de relevante artikelen van de verordening

- artikel 2, gebruik van akoestische afschrikmiddelen in relatie met bijlage I

De betrokken rederijen werden in het verleden aangeschreven en gewezen op de bestaande verplichtingen. Vanwege de industrie kregen we de melding binnen dat het zeer moeilijk is in de handel *pingers* te vinden waarvan de bedrijfszekerheid kan gegarandeerd worden.

In de afgelopen periode werd er echter niet gevist in gebieden of met vistuig waaraan een bijzondere verplichting verbonden is. Met name in de zuidelijke Noordzee wordt er niet gevist met verankerde kieuwnetten of warnetten met maaswijdte ≥ 220 mm. Controle van de logboeken van de vaartuigen wees uit dat er niet gevist werd met korte vistuigen waarvan de totale lengte niet meer bedraagt dan 400 meter.

- artikel 3, technische specificaties en gebruiksvoorwaarden

Er werden geen machtigingen verleend voor het tijdelijke gebruik van akoestische afschrikmiddelen die niet voldoen aan de in bijlage II omschreven technische specificaties.

- artikel 4, inzet van waarnemers op zee

Er werd geen specifieke toezichtsregeling uitgewerkt, aangezien bijlage III geen verplichtingen inhoudt die van toepassing zou zijn voor de Belgische vloot, noch naar gebied noch naar vistuig.

- artikel 5, waarnemers

In 2008 werd er niet door onafhankelijke waarnemers aan boord van Belgische schepen ingescheept om de bijvangst van walvisachtigen te monitoren. Er werden bovendien geen bijvangsten van zeezoogdieren door de beroepsvisserij gemeld aan de bevoegde diensten, wetende dat daartoe een wettelijke verplichting bestaat. In 2009-2010 zal projectmatig door de onderzoeksinstituten ILVO en BMM een observatieprogramma opgesteld worden

Revised Format for the ASCOBANS Annual National Reports

om de bijvangst van walvisachtigen op het Belgisch Deel van de Noordzee te bemonsteren voor warrelnetten gericht op tong (maaswijdte ≥ 90 mm). Wegens het beperkt budget, zijn het aantal zeereizen echter beperkt.

4. Bijkomende informatie

Bron: www.mumm.ac.be/EN/Management/Nature/search_strandings)

De strandingen van zeezoogdieren, meer bepaald bruinvissen, worden aan de Belgische kust gemonitord door het BMM (Beheerseenheid van het Mathematisch Model Noordzee van de programmatorische federale overheidsdienst Wetenschapsbeleid). Systematisch wordt de doodsoorzaak van de gestrande zeezoogdieren onderzocht.

Deze zaken maken het onderwerp uit van een rechtstreekse rapportering in het kader van ASCOBANS.

In 2008 waren er in België in totaal 60 strandingen van bruinvissen, waarvan 9 exemplaren sporen van bijvangst vertoonden. In de maanden maart, april, mei en oktober vinden de meeste strandingen plaats. De bijvangst is naar schatting voor de helft het gevolg van het gebruik van warrelnetten bij de strandvisserij. Naar aanleiding van deze vaststelling werden deze activiteiten in 2007 bijkomend gereguleerd.

In 2008 vonden eveneens strandingen plaats van Grijze zeehond (*Halichoerus grypus*) (9), Gewone zeehond (*Phoca vitulina*) (15), Zeehond (*Seal sp.*) (5), Gewone spitssnuitdolfijn (*Mesoplodon bidens*) en witsnuitdolfijn (*Lagenorhynchus albirostris*) (1).

Strandingen	2006	2007	2008
Januari	2	2	1
Februari	1	11	3
Maart	6	6	10
April	12	13	8
Mei	15	13	8
Juni	10	4	7
Juli	2	4	5
Augustus	20	21	4
September	6	15	3
Oktober	3	7	8
November	3	4	3
December	4	3	/

Bijvangsten	2006	2007	2008*
Januari			
Februari	1	1	1
Maart	16	5	3
April	6	1	2
Mei	1		1
Juni			
Juli			
Augustus			
September			
Oktober			1
November			
December	2	1	

* Bijvangsten van 2008 zijn benaderingen, er zijn nog onvoldoende gegevens via de website beschikbaar om conclusies te trekken voor 2008.